

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

MANUEL REZENDEZ
Plaintiff

v.

F/V LEGACY
PYRITE INTERNATIONAL INC.
And WHALING CITY SEAFOOD
DISPLAY AUCTION
Defendant

C.A. NO. 04-10072-JLT

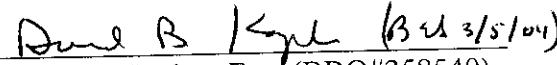
**ASSENTED TO MOTION TO REMOVE DEFAULT AGAINST DEFENDANT
WHALING CITY SEAFOOD DISPLAY AUCTION, INC. AND TO ALLOW IT TO FILE
ITS ATTACHED ANSWER LATE**

Now comes Defendant Whaling City Seafood Display Auction, Inc. with the assent of the Plaintiff Manuel Rezendez moves the Court to remove the default against it and to docket its answer attached hereto.

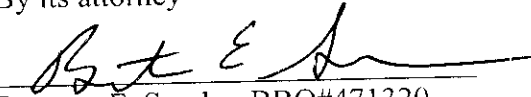
MANUEL REZENDEZ

WHALING CITY SEAFOOD DISPLAY
AUCTION, INC.

By his attorney



David B. Kaplan, Esq. (BBO#258540)
Kaplan Bond Group
Boston Fish Pier
West Building, Suite 304
Boston, MA 02210
(617) 261-0080

By its attorney


Bertram E. Snyder, BBO#471320
LOONEY & GROSSMAN, LLP
101 Arch Street
Boston, Massachusetts 02110
(617) 951-2800

Certificate of Service

I hereby certify that on this 5th day of March 2004, I served the foregoing Motion to Remove Default and Answer by mailing a copy thereof, postage prepaid, to David B. Kaplan, Esq., Kaplan Bond Group, Boston Fish Pier, West Building, Suite 304, Boston, MA 02210 and Regan & Kiley, attorneys for defendants FV LEGACY and Pyrite International, Inc., 85 Devonshire Street, Boston, MA 02109.



Bertram E. Snyder